

### III. REMARKS

Claims 1-20 are pending in this application. By this amendment, claims 1, 10, 12 and 17 have been amended. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicant is not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kimball (U.S. Patent Pub. No. 2004/0034646), hereafter “Kimball,” in view of Arcuri *et al.* (U.S. Patent No. 6,121,968), hereafter “Arcuri,” and further in view of Ohsugi *et al.*, ‘A Recommendation System for Software Function Discovery’ APSEC 2002, pages 248-257, hereafter “Ohsugi.”

Applicant asserts that the references cited by the Office do not teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1, 10, 12 and 17, Applicant submits that the cited references fail to teach or suggest recording a use count for the user interface element, the use count being an aggregation of use counts for every user in the group of users. In contrast, the passage of Arcuri cited in support of its argument pertains to documenting selection of a command by a single user and not an aggregate of use

counts for every user in a group. . Thus, Acuri does not teach or suggest the group-based aggregated use count of the claimed invention. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With respect to dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

#### **IV. CONCLUSION**

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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/Hunter E. Webb/

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